

Notice of Allowability

Application No.

10/044,466

Examiner

Michael P. Ferguson

Applicant(s)

BRUNNER ET AL.

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment 23 November 2004.
2. ☒ The allowed claim(s) is/are 1-9, 13 and 14.
3. ☒ The drawings filed on 10 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Examiner notes that claims 10-12 are improperly listed as withdrawn within the amendment filed November 23, 2004. Claims 10-12 were canceled in the amendment filed June 18, 2003.

Allowable Subject Matter

1. Claims 1-9, 13 and 14 allowed.
2. The following is an examiner's statement of reasons for allowance:

As to claim 1, Morelli et al. (US 5,688,070) disclose the claimed apparatus with the exception of comprising a hub having a cylindrical axial bore defining a wall in the hub, the wall being cylindrical about the entire surface of the axial bore, the entire surface of the axial bore being defined at a constant radial distance from a central axis of the axial bore.

It would not have been obvious to one having ordinary skill in the art at the time the invention was made to modify an apparatus as disclosed by Morelli et al. to have the above mentioned elements as the prior art neither teaches nor suggests such modifications.

As to claim 7, Kindelmann et al. (US 1,866,112) disclose the claimed method with the exception of comprising the step of providing at least one longitudinal keyway in the shaft, the at least one keyway having a bottom portion and at least two side walls, the shaft having a solid cross-section along the entire length of the shaft.

It would not have been obvious to one having ordinary skill in the art at the time the invention was made to modify a method as disclosed by Kindelmann et al. to have

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the above mentioned elements as the prior art neither teaches nor suggests such modifications.

As to claim 13, Preston (US 1,560,399) discloses the claimed apparatus with the exception of comprising at least one locking key having a pre-insertion maximum radial height greater than the maximum distance, the radial height of the at least one locking key being tapered along a longitudinal axis of the at least one locking key, wherein the longitudinal axis is parallel with the axis of the axial bore.

It would not have been obvious to one having ordinary skill in the art at the time the invention was made to modify an apparatus as disclosed by Preston to have the above mentioned elements as the prior art neither teaches nor suggests such modifications.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (703)308-8591. The examiner can normally be reached on M-F (7:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703)308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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12/07/04

Daniel P Stodola

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